UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

NICHOLAS BERGERON and BARBARA MYCEK, individually and on behalf of others similarly situated, Plaintiffs, v. ROCHESTER INSTITUTE OF TECHNOLOGY, Defendant.	Case No. 6:20-cv-06283

DECLARATION OF QIAN (SHEILA) SHEN
IN OPPOSITION TO PLAINTIFFS' MOTION FOR CLASS CERTIFICATION AND
IN SUPPORT OF ROCHESTER INSTITUTE OF TECHNOLOGY'S
MOTION TO PRECLUDE THE EXPERT OPINION OF DR. CHARLES COWAN, Ph.D.

I QIAN (SHEILA) SHEN, declare:

1.   I am an associate with the law firm Holland & Knight LLP.   I am one of the attorneys for Defendant Rochester Institute of Technology ("RIT") and accordingly am familiar with the facts of this case and the documents attached hereto.   I make the following statements based on personal knowledge.

2.   Attached as **Exhibit 1** is a true and correct copy of excerpts from the deposition of Dr. Charles D. Cowan, Ph.D. ("Cowan Deposition") taken on July 20, 2022.

3.   Attached as **Exhibit 2** is a true and correct copy of Exhibit 11 from the Cowan Deposition.

4.   Attached as **Exhibit 3** is a true and correct copy of Exhibit 3 from the report prepared by Dr. Cowan pursuant to Fed. R. Civ. P. 26(a)(2).

5.   Attached as **Exhibit 4** is a true and correct copy of the Expert Report of Benjamin S. Wilner, Ph.D.

6.   Plaintiffs' counsel Roy Willey has not taken or defended any depositions in this action and did not substantively participate in discovery.

7.   Plaintiffs' counsel Philip Fraietta participated in mediation, but otherwise has not substantively participated in this action.

8.   I declare under penalty of perjury and under the laws of the United States that the foregoing is true and correct. Executed this 28th day of October 2022, in New York, New York.

<div style="text-align: right;">
/s Qian Shen
Qian (Sheila) Shen
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